

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

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v.

CRIMINAL NO. DLB-22-199

ANTHONY ANTWON MCNAIR, JR.,

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Defendant

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**JOINT STATUS REPORT AND CONSENT MOTION TO TOLL SPEEDY TRIAL
CLOCK AND CONTINUE PRETRIAL DEADLINES**

The United States of America, by and through undersigned counsel, with the consent of Counsel for Defendant, respectfully submits the following joint status report and consent motion to toll speedy trial clock and continue pretrial deadlines.

1. On June 2, 2022, a federal Grand Jury in the District of Maryland charged the Defendant in a one-count indictment with felon in possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g)(1). ECF No. 1.
2. On July 7, 2022, a federal Grand Jury in the District of Maryland charged the Defendant in a three-count superseding indictment with felon in possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g)(1); possession with intent to distribute fentanyl, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B); and possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c). ECF No. 4.
3. The Defendant had an initial appearance and arraignment in this Court on March 15, 2023. At the time, the Defendant was serving a sentence for a violation of probation from the District of Columbia Superior Court. The Defendant was ordered detained by

agreement, and the Office of the Federal Public Defender was appointed to represent the Defendant. *See* ECF Nos. 9–13.

4. At the time of the initial appearance, the parties were informed that the Court set a deadline for a joint status report of April 28, 2023.
5. On March 16, 2023, Assistant Federal Public Defender Amy Fitzgibbons entered her appearance on behalf of the Defendant. ECF No. 14.
6. The parties had a teleconference to discuss discovery and the case status on March 16, 2023.
7. On March 20, 2023, the Government filed a consent motion to exclude time under the speedy trial clock from March 15, 2023 through April 28, 2023, which the Court granted. ECF Nos. 15, 16.
8. The Government made an initial discovery production on March 24, 2023 that included the Defendant’s statements, prior record, police reports, forensic reports, and body worn camera footage.
9. The Government made a second discovery production on April 26, 2023, that consisted of a copy of the Defendant’s phone download.
10. On April 28, 2023, the Government filed a consent motion to exclude time under the speedy trial clock from April 28, 2023 through June 12, 2023, which the Court granted. ECF Nos. 17, 18.
11. On June 12, 2023, the Government filed a consent motion to exclude time under the speedy trial clock from June 12, 2023 through July 12, 2023, which the Court granted. ECF Nos. 19, 20.
12. On June 30, 2023, the Government extended a plea offer to the Defendant.

13. On July 12, 2023, the Government filed a consent motion to exclude time under the speedy trial clock from July 12, 2023 through August 2, 2023, which the Court granted. ECF Nos. 21, 22.
14. On August 2, 2023, the Government filed a consent motion to exclude time under the speedy trial clock from August 2, 2023 through August 30, 2023, which the Court granted. ECF Nos. 23, 24.
15. On September 1, 2023, the Government filed a consent motion to exclude time under the speedy trial clock from August 30, 2023 through October 2, 2023, which the Court granted. ECF Nos. 25, 26.
16. On September 12, 2023, a federal Grand Jury in the District of Columbia charged the Defendant with one count of conspiracy to interfere with interstate commerce by robbery, in violation of 18 U.S.C. § 1951(a); two counts of interference with interstate commerce by robbery, in violation of 18 U.S.C. § 1951(a); one count of bank robbery, in violation of 18 U.S.C. § 2113(a); and two counts of using, carrying, possessing, and brandishing a firearm during and in relation to a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A)(ii). The conduct charged in the District of Columbia relates to a series of armed robberies of Brinks armored car delivery vehicles between October 6, 2021 and March 2, 2022, prior to the charged conduct in this case in the District of Maryland. The Defendant is scheduled for an initial appearance in the United States District Court for the District of Columbia on October 27, 2023.
17. The parties are currently engaged in plea discussions, which will include further discussions between the parties, and between Defense counsel and the Defendant. Accordingly, the parties respectfully request to submit another status report by

December 1, 2023, a period of approximately 60 days, and to continue pretrial deadlines and toll the speedy trial clock for the same period.

18. A proposed Order is attached for the Court's consideration.

Respectfully submitted,

Erek L. Barron
United States Attorney

By: /s/
Patrick D. Kibbe
Assistant United States Attorney